IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(C).No. 32756 of 2003(Y)

PETITIONER:

M/S.THREE STAR WOOD INDUSTRIES,
CHOUKKY, MAILATTY P.O., KASARGOD DISTRICT,
PIN-671 313, REPRESENTED BY SHEIK ADAM SAHEB,
MANAGING PARTNER.

BY ADV. SRI.T.M.SREEDHARAN

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY THE CHIEF SECRETARY,
   SECRETARIAT, TRIVANDRUM.

2. **THE DISTRICT COLLECTOR, KASARGOD.**

3. **THE VILLAGE OFFICER,**
   BADADKA, KASARGOD TALUK.

BY GOVERNMENT PLEADER SRI. PRADEEP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.32756/2003 Y

APPENDIX

PETITIONER'S EXHIBIT:

EXT.P1: COPY OF THE RECEIPT NO.281456 DTD. 30/06/2003 ISSUED TO THE PETITIONER BY THE 3RD RESPONDENT.

/TRUE COPY/

P.A.TO JUDGE

KSS

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 32756 of 2003

Dated, this the 20th day of November, 2007

J U D G M E N T

The prayer in the writ petition is for a direction to the respondents to refund collection charges of Rs.5,750/-. It is seen from Ext.P1 receipt itself that payment is voluntarily made by the defaulter. In the circumstances, there is no justification for recovery of collection charges under Rule 5 of the RR Rules. This writ petition is, accordingly, allowed directing respondents 2 & 3 to grant refund of Rs.5,750/-, towards collection charges recovered from the petitioner, within a period of one month from the date of receipt of a copy of this judgment by the petitioner.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg